

1. On or about May 17, 2019, plaintiffs Emily Zombek, as Executrix of the Estate of Thomas Kopp, and Allegheny General Hospital initiated the State Court Action by filing a Complaint. True and correct copies of the Complaint, along with all other process, pleadings and orders served on Golden Rule, are attached as Exhibit A.

2. Golden Rule first received a copy of the Complaint on or about May 21, 2019.

Ground for Removal: Diversity of Citizenship/Amount in Controversy

3. Plaintiff Emily Zombeck, the Executrix of the Estate of Thomas Kopp, is a citizen and resident of the Commonwealth of Pennsylvania. (See Complaint, ¶ 1.)

4. Mr. Kopp died as a citizen and resident of the Commonwealth of Pennsylvania. (See Complaint, ¶ 1.)

5. Plaintiff Allegheny General Hospital is organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal place of business in Pittsburgh, PA. (See Complaint, ¶ 2.)

6. Golden Rule is incorporated under the laws of, and has its principal place of business in, the State of Indiana. (See Complaint, ¶ 3.)

7. Plaintiffs therefore are citizens of different states than Golden Rule for purposes of diversity jurisdiction under 28 U.S.C. § 1332.

8. Plaintiffs allege that Golden Rule owes them at least \$87,871 for unpaid medical expenses. (See Complaint, ¶¶ 26, 35.)

9. As a result, the amount in controversy exceeds the \$75,000 threshold in 28 U.S.C. § 1332.

10. Because there is complete diversity of citizenship between Plaintiffs and Golden Rule, and the amount in controversy exceeds \$75,000, exclusive of interest and costs, this Court has original jurisdiction of this civil action under 28 U.S.C. § 1332.

11. For these reasons, the State Court Action is removable under 28 U.S.C. § 1441(b).

Removal is Procedurally Proper

12. This Notice of Removal is timely under 28 U.S.C. § 1446(b) because it is being filed within 30 days of the date Golden Rule first received a copy of the Complaint.

13. This Court is the appropriate venue for filing this Notice of Removal because it is the “district and division embracing the place where such action is pending.” 28 U.S.C. § 1441(a).

14. Pursuant to 28 U.S.C. § 1446(d), written notice of the filing of this Notice of Removal, together with a copy of this Notice of Removal and attached exhibits, is being filed with the Court of Common Pleas, Allegheny County, Pennsylvania and served on counsel for Plaintiffs. A true and correct copy of the Notice to the State Court of Filing of Notice of Removal is attached as Exhibit B.

WHEREFORE, defendant Golden Rule Insurance Company gives notice that the State Court Action is removed from the Court of Common Pleas, Allegheny County, Pennsylvania, to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

Dated: June 19, 2019

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